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OO RUEHCHI RUEHCN RUEHDT RUEHHM
DE RUEHJA #2916 2891000
ZNY CCCCC ZZH
O 161000Z OCT 07
FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6700
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY
RUEHBY/AMEMBASSY CANBERRA PRIORITY 1386
RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY
RUEHWL/AMEMBASSY WELLINGTON 1887
RUEATRS/DEPT OF TREASURY WASHDC
RHHJJPI/USPACOM HONOLULU HI
RHMCSUU/FBI WASHINGTON DC
RUEKJCS/SECDEF WASHDC
RHEHNSC/NSC WASHDC

C O N F I D E N T I A L JAKARTA 002916

SIPDIS

SIPDIS

DEPT FOR EAP, EAP/MTS, S/CT, INL FOR BOULDIN
DOJ FOR CRIM AAG SWARTZ, DOJ/OPDAT FOR
LEHMANN/ALEXANDRE/BERMAN
DOJ/CTS FOR MULLANEY, ST HILAIRE
FBI FOR ETTUI/SSA ROTH
NCTC WASHDC
NSC FOR EPHU

E.O. 12958: DECL: 10/16/2017
TAGS: [PGOV](#) [PTER](#) [KJUS](#) [PREL](#) [ID](#)
SUBJECT: BOWING TO PRESSURE, GOI ANNOUNCES TOUGHER
REMISSIONS POLICY RE TERRORISTS

REF: A. JAKARTA 2892

[1](#)B. JAKARTA 2263

[1](#)C. 06 JAKARTA 12773

Classified By: Pol/C Joseph Legend Novak, reasons 1.4(b)(d).

[1](#)1. (C) SUMMARY -- The GOI's formal revision of its criminal sentence remission policy has taken effect. The new regulation makes it more difficult for certain groups of convicts--notably terrorists--to receive the annual sentence reductions traditionally given to most prisoners in Indonesia. The regulation represents a welcome hardening of Indonesia's resolve on terrorism, and is the result of years of efforts by Australia and the U.S. to change the open-ended remissions policy. END SUMMARY.

[1](#)2. (SBU) A NEW REGULATION -- The new regulation--which has just been formally announced by the Ministry of Law and Human Rights--is directed at prisoners convicted of specifically enumerated crimes, including terrorism, drug offenses, human trafficking, corruption, human rights violations and "transnational" offenses. Under the new policy, the prisoners in these categories will not be eligible to receive sentence remissions until they have served at least one-third of their prison terms. Those who have already reached the one-third mark will receive remissions only with the concurrence of the Director General (DG) for Prisons. Other privileges--including early release and temporary parole to visit family--will also require DG authorization for prisoners who fall into the enumerated baskets.

[1](#)3. (C) IT'S ALREADY IN EFFECT -- The new policy is already being implemented by the Indonesian government. As foreshadowed in Ref A, for example, no terrorists reportedly received sentence remissions on October 13 when over 50,000 Muslim prisoners received annual, automatic sentence remissions due to the Idul Fitri holiday. Instead, possible Idul Fitri remissions for convicted terrorists are being reviewed by the Ministry of Law and Human Rights. According to GOI and Australian Embassy contacts, this process will take several weeks or months until it is complete.

14. (C) A WELCOME CHANGE -- The new regulation is a long-awaited change. It was actually contained in Presidential Instruction no. 28 of 2006 (ref C), but was not implemented in regulatory form until now. The regulation represents a welcome hardening of Indonesia's resolve on terrorism, and is the result of years of efforts by Australia and the U.S. to change the policy. While positive as far as it goes, the new regulation still leaves open the real possibility that convicted terrorists will receive sentence remissions, so more work still needs to be done with the GOI.

HUME